THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION No.8289 of 2007

23.4.2007

Between:

Smt.K.Rangamma, W/o.late K.Naganna
And others

… Petitioners

AND

The Government of Andhra Pradesh represented by its Secretary, Revenue Department, Secretariat, Hyderabad
And others

… Respondents

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WRIT PETITION No.8289 of 2007

ORDER:

The first petitioner is wife and petitioners 2 and 3 are sons of late Naganna, who was holding land admeasuring Acs.0.40 in survey No.133/11 situated at Joharapuram in Kurnool. It is alleged that the land was initially assigned to late Morrenna, grandfather of petitioners, by way of Talari Manyam. The petitioners obtained pattadar pass books and title deeds in 1994. Alleging that the respondents started interfering with the possession of the lands and threatening to take over the same for providing house sites under Indira Prabha scheme without following due process of law, the present writ petition is filed.

After getting instructions, learned Assistant Government Pleader for Revenue (General-A) submits that the land admeasuring Acs.2.47 in survey No.133/8 has been allotted to Andhra Pradesh Housing Corporation (the Corporation, for brevity) for the purpose of construction of houses and that under a mistaken impression, the Corporation encroached upon the land belonging to the petitioners. He also submits that the Mandal Revenue Officer has already issued necessary directions to the Corporation not to take up any construction. While recording the submissions of learned Assistant Government pleader, this Court observes that either the respondents or the Corporation cannot prevent the petitioners from enjoying their property nor they can be deprived of possession without due process of law.

The writ petition, with the above observations, is accordingly disposed of. No costs.

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(**V.V.S.RAO, J**)

April 23, 2007.

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